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E.O. 12958: DECL: 10/09/2016
TAGS: [PHUM](#) [PGOV](#) [NI](#)
SUBJECT: STATUS UPDATE ON SEDITION CHARGES AGAINST
JOURNALISTS

REF: A. ABUJA 1547

[1](#)B. ABUJA 1660

[1](#)C. ABUJA 1950

Classified By: Political Counselor Russell Hanks for Reasons 1.4 (b and d)

[1](#)1. (U) On October 10, journalists Gbenga "Mike" Aruleba and Rotimi Durojaiye had a hearing in their sedition trial (reftels). The companies for which they work (Aruleba works for Africa Independent Television and Durojaiye for Daily Independent Newspapers) were also on trial. On motion of the prosecutor, charges were dismissed against Aruleba and AIT. Aruleba was unable to explain to PolOff why charges had been dismissed against him. Charges still stand against Durojaiye and the Daily Independent, although he is free on bail pending resolution of the case. Both sides agreed to a motion that the matter be submitted to the court of appeal to determine whether the sedition charge is constitutional. According to the prosecution, they want to examine whether there are any limits to free speech and if so whether sedition is a part of those limits. No date was set for the next hearing.

[1](#)2. (C) The atmosphere surrounding this hearing was substantially more subdued than at earlier hearings. However, that was likely because heavy attention was being paid to a hearing in the courtroom across the hall in a case brought by the Vice President.

[1](#)3. (C) COMMENT. No explanation was offered in court as to why the charges were dropped against one defendant and not the other. Afterwards, Durojaiye proffered that it was because Aruleba had merely repeated a story he had originally printed. Aruleba thought this likely. However, that explanation rings hollow. In conversations at prior hearings, trial participants told PolOff that there would be an attempt to "settle" the criminal charges. If a good faith decision was reached to drop the charges against only one of them, it seems that it should have been Durojaiye. Per reftels A and B, he was not arrested until well after Aruleba and was not part of the original charges. That said, it is a positive development that charges have been dropped against one defendant and the other remains free pending lengthy pre-trial legal maneuvering. END COMMENT.
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